
SENATE BILL No. 353

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-3-2; IC 9-21-4-2; IC 21-2-15-4.

Synopsis: Traffic control signals near high schools. Requires the department of transportation (INDOT) to erect a traffic control signal in the vicinity of a high school on a state highway in Carroll or Jasper County if: (1) the school corporation that maintains the high school; (2) the local policing agency; and (3) the executive of the local political subdivision, jointly petition INDOT for erection of the traffic control signal. Requires the corporation to pay 50% of the total cost of erecting the traffic control signal. Allows the corporation to use capital project fund money to pay the corporation's share of the cost.

Effective: July 1, 2003.

Hershman

January 16, 2003, read first time and referred to Committee on Transportation and Homeland Security.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 353

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-21-3-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) **Except as provided in**
3 **subsection (c)**, each traffic signal installation on a street or highway
4 within Indiana may be erected only after the completion of traffic
5 engineering studies that verify that the traffic ~~signal~~ control **signal** is
6 necessary as set forth in the Indiana Manual on Uniform Traffic
7 Control Devices for Streets and Highways.

8 (b) If:

9 (1) the proposed installation is in the immediate vicinity of a
10 school; and

11 (2) the installation does not meet the requirements of this section;
12 the ~~governmental unit~~ **local authority** responsible for the control of
13 traffic at the location shall grant a special hearing on the question to a
14 person who has properly petitioned for the installation of a traffic
15 **control** signal.

16 (c) **In a county having a population of more than twenty**
17 **thousand (20,000) but less than twenty thousand three hundred**



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(20,300) or a county having a population of more than thirty thousand (30,000) but less than thirty thousand seven hundred (30,700), if:

- (1) the school corporation that maintains a high school that is located on a state highway;
- (2) a local policing agency with jurisdiction over the high school described in subdivision (1); and
- (3) the executive of a political subdivision that contains the high school described in subdivision (1);

jointly petition the Indiana department of transportation to erect a traffic control signal in the vicinity of the high school on the state highway on which the high school is located, the Indiana department of transportation shall erect the traffic control signal. The school corporation shall pay fifty percent (50%) of the total cost of erecting a traffic control signal under this subsection.

SECTION 2. IC 9-21-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The Indiana department of transportation shall place and, except as otherwise provided in this section **and IC 9-21-3-2(c)**, maintain traffic control devices conforming to the state manual and specifications upon all state highways, including the state maintained routes through a city or town, as necessary to indicate and to carry out this article or to regulate, warn, or guide traffic.

(b) A local authority may not place or maintain a traffic control device upon a highway in the state highway system or the state maintained routes through a city or town until the authority has received written permission from the Indiana department of transportation.

(c) **Except as provided in IC 9-21-3-2(c)**, if the Indiana department of transportation determines, upon the basis of an engineering and traffic investigation, that any traffic control signal is not necessary for the safe, convenient, economical, and orderly movement of traffic, the signal shall be removed by the Indiana department of transportation and be returned to the authority responsible for the signal's erection. If the Indiana department of transportation determines, based on an engineering and traffic investigation, that a traffic control signal now in place is necessary for the safe, convenient, economical, and orderly movement of traffic, the signal must remain in place, and the Indiana department of transportation shall affix a tag or seal to the signal showing that the signal has been approved by the Indiana department of transportation.

SECTION 3. IC 21-2-15-4, AS AMENDED BY P.L.144-2002,



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SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) A school corporation may establish a capital projects fund.

(b) With respect to any facility used or to be used by the school corporation (other than a facility used or to be used primarily for interscholastic or extracurricular activities, except as provided in subsection (i)), the fund may be used to pay for the following:

- (1) Planned construction, repair, replacement, or remodeling.
- (2) Site acquisition.
- (3) Site development.
- (4) Repair, replacement, or site acquisition that is necessitated by an emergency.

(c) The fund may be used to pay for the purchase, lease, repair, or maintenance of equipment to be used by the school corporation (other than vehicles to be used for any purpose and equipment to be used primarily for interscholastic or extracurricular activities, except as provided in subsection (i)).

(d) The fund may be used for any of the following purposes:

- (1) To purchase, lease, upgrade, maintain, or repair one (1) or more of the following:
 - (A) Computer hardware.
 - (B) Computer software.
 - (C) Wiring and computer networks.
 - (D) Communication access systems used to connect with computer networks or electronic gateways.
- (2) To pay for the services of full-time or part-time computer maintenance employees.
- (3) To conduct nonrecurring inservice technology training of school employees.
- (4) To fund the payment of advances, together with interest on the advances, from the common school fund for educational technology programs under IC 21-1-5.
- (5) To fund the acquisition of any equipment or services necessary:
 - (A) to implement the technology preparation curriculum under IC 20-10.1-5.6;
 - (B) to participate in a program to provide educational technologies, including computers, in the homes of students (commonly referred to as "the buddy system project") under IC 20-10.1-25, the 4R's technology program under IC 20-10.1-25, or any other program under the educational technology program described in IC 20-10.1-25; or

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1 (C) to obtain any combination of equipment or services
2 described in clauses (A) and (B).

3 (e) The fund may be used to purchase:

- 4 (1) building sites;
5 (2) buildings in need of renovation;
6 (3) building materials; and
7 (4) equipment;

8 for the use of vocational building trades classes to construct new
9 buildings and to remodel existing buildings.

10 (f) The fund may be used for leasing or renting of existing real
11 estate, excluding payments authorized under IC 21-5-11 and
12 IC 21-5-12.

13 (g) The fund may be used to pay for services of the school
14 corporation employees that are bricklayers, stone masons, cement
15 masons, tile setters, glaziers, insulation workers, asbestos removers,
16 painters, paperhangers, drywall applicators and tapers, plasterers, pipe
17 fitters, roofers, structural and steel workers, metal building assemblers,
18 heating and air conditioning installers, welders, carpenters, electricians,
19 or plumbers, as these occupations are defined in the United States
20 Department of Labor, Employment and Training Administration,
21 Dictionary of Occupational Titles, Fourth Edition, Revised 1991, if:

- 22 (1) the employees perform construction of, renovation of,
23 remodeling of, repair of, or maintenance on the facilities and
24 equipment specified in subsections (b) and (c);
25 (2) the school corporation's total annual salary and benefits paid
26 by the school corporation to employees described in this
27 subsection are at least six hundred thousand dollars (\$600,000);
28 and
29 (3) the payment of the employees described in this subsection is
30 included as part of the proposed capital projects fund plan
31 described in section 5(a) of this chapter.

32 However, the number of employees that are covered by this subsection
33 is limited to the number of employee positions described in this
34 subsection that existed on January 1, 1993. For purposes of this
35 subsection, maintenance does not include janitorial or comparable
36 routine services normally provided in the daily operation of the
37 facilities or equipment.

38 (h) The fund may be used to pay for energy saving contracts entered
39 into by a school corporation under IC 36-1-12.5.

40 (i) Money from the fund may be used to pay for the construction,
41 repair, replacement, remodeling, or maintenance of a school sports
42 facility. However, a school corporation's expenditures in a calendar

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1 year under this subsection may not exceed five percent (5%) of the
2 property tax revenues levied for the fund in the calendar year.

3 (j) Money from the fund may be used to carry out a plan developed
4 under IC 20-10.1-33.

5 **(k) Money from the fund may be used to pay the school**
6 **corporation's share of the cost of erecting a traffic control signal**
7 **under IC 9-21-3-2(c).**

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